

FARMINGTON CITY COUNCIL MEETING

Tuesday, July 21, 2009

CITY COUNCIL WORK SESSION/COUNCIL CHAMBERS

PRESENT: Mayor Scott Harbertson, Council Members Richard Dutson, David Hale, Sid Young, Cory Ritz, City Manager Max Forbush, and Recording Secretary Kami Mahan. Council Member Paula Alder, and David Petersen and Glenn Symes of the Planning Department arrived later in the meeting.

Members of the architectural firm EDA (Edwards & Daniels Associates) were also present.

Mayor Harbertson began discussion at 5:35 p.m. The following items were reviewed:

Discussion on Design of New City Hall

Candace Heyman of EDA displayed sample materials for the new City Hall. Carpet tile is proposed for the larger public spaces, broad loom carpet for the smaller areas, and cork flooring for the break room. Cherry wood with a granite slab is planned for the stairs, with a half inch tempered glass railing and wood handrail. There will be porcelain wall tile in some areas. The exterior brick was shown. **Ms. Heyman** showed options for the fixed seating, which the Council discussed, along with costs. The seats will likely feature a wood toned finish with cushioned fabric seats and cushioned backs if funds permit. A furniture cost package will be proposed by EDA, as priced by several furniture companies. Paint colors were proposed. Wall decor in the public areas was discussed, and the need for it to be unique, dignified, yet interesting and meaningful for the city of Farmington. Digital frames with changing pictures was suggested to be included as part of the decor. It was explained that the strategy for the exterior of the buildings is to have the nicer materials placed where they are most visible on the main building, and to tie the buildings together with rock walls. Light fixtures are being worked on. **Max Forbush** noted that the building needs to be finished by July 2010.

The architects were complimented on their work, and the Council moved into the east conference room for the remainder of the work session.

(Agenda Item #2): Reading and Approval of Minutes -

The Council reviewed the minutes of the July 7, 2009 City Council meeting and made corrections. Approval of the minutes from the Special City Council meeting held June 23, 2009, was delayed from the last meeting and will be done tonight.

(Agenda Item #4): Discussion/Review of acceptable barriers separating natural vegetation and manicured grasses within Farmington Ranches Subdivision Conservation Easement areas.

Glenn Symes distributed copies of emailed comments from Farmington Ranches HOA President Gordon Crabtree, and **Max Forbush** displayed a sample of the barrier material most recently proposed by the HOA. It was explained that an insufficiently wide landscape barrier will allow vegetation to overrun the barrier. **Mr. Symes** said that a particular barrier is not specified in the agreement. The City conferred with a consultant, who rejected the HOA's original proposed barrier. In view of the history of the agreement, the Council should make the decision. Staff is advocating the consultant's recommendation of a concrete barrier. It was suggested that the Council make a few specific recommendations for landscape barriers that can be applied in this and other future situations. The Council discussed the issue and agreed to give the HOA specific options for a barrier.

(Agenda Item #5): Request for Final Plat approval - Farmington Crossing South Subdivision.

Mayor Harbertson stated that this proposal is for single-family detached homes. **Glenn Symes** noted that this is a test product. The **Mayor** expressed his approval of the project, and said staff does not think the proposal is major enough to warrant an amendment.

(Agenda Item #6): Review/Discussion Hampton Inn request to modify proposal for incentivising new hotel.

Mayor Harbertson stated that **Max Forbush** spoke with the applicant's attorney, Heidi Gordon. The applicant, Dharmesh Ahir, is requesting an incentive payment of two years of Transient Room tax (TRT). There have been consultations with the County, but as of yet there is no firm commitment from them. The **Mayor** said Kent Sulser from the County will be at the meeting.

It was explained that in order to expedite the situation, the City Manager proposed to Ms. Gordon that the City will give a guarantee of \$40,000, (\$20,000 for two years). By the end of the second year the City will guarantee the TRT payments out of the General Fund. The City will have incoming sales taxes to cover this expense. Mr. Ahir and Ms. Gordon are in favor.

Council Members agreed with this proposal. **Max Forbush** stated that the applicant would not be present at tonight's meeting. The **Mayor** said the County does not want to take the funds out of TRT tax, but rather from the General Fund. It will give the equivalent of one year at one percent. However, the County cannot legally share the TRT tax, so they are working on an inter-local agreement to free up money for the City to give.

(Agenda Item #7): Invitation to comment on proposed prescribed burn near Davis Canyon on southeast bench.

Mayor Harbertson said he believes the prescribed burn would be beneficial, but he is concerned about giving the Council's input to the U.S. Forest Service until feedback is received from the citizens' committee. The issue can be reviewed in two weeks. **Cory Ritz** noted that the biggest fire problems

have been the result of “controlled” burns getting out of control. This was discussed. **Max Forbush** said the municipality’s recommendation will give the Forest Service clearance to proceed.

Paula Alder raised the issue of fireworks and this was discussed. It was decided that the issue would be revisited for next year.

(Agenda Item #8): Minute Motion approving Summary Action list

- **Ratify Construction Bond Agreements previously signed by Mayor Harbertson**
- **Approval of Cooperative Agreement with UDOT approving property match for engineering costs associated with “Road to Commuter Rail Station”**
- **Approval of Rocky Mountain Power Agreement for power services to Farmington Ranches Neighborhood Park.**
- **Authorization to extend terms of newly appointed Trails Committee members from June 2009 through December 2012**
- **Appointment of Jim Young to Davis County Transportation Master Planning Committee**
- **Ratify Mayor and City Manager decision to move forward with Phase 1 & 2 of design services for south Main Street project**

Max Forbush noted that the Cooperative agreement with UDOT allows the City to use property for the road, and is a benefit. **Mayor Harbertson** advised **Sid Young** to inform Trails Committee chairman George Chipman of the word change in the July 7, 2009, minutes regarding the ending date of nominees’ service. The wording is changed from June 2012 to December 2012.

(Agenda Item #9): Resolution approving the form of the Lease/Purchase agreement with Zion’s First National Bank, Salt Lake City, Utah, and authorizing the execution and delivery thereof pertaining to the acquisition of UDOT surplus property located at 42 North 650 West in Farmington.

This matter will be handled immediately following the Hampton Inn issue (Agenda item #6).

(Agenda Item #10): Conceptual approval of amending the Development Standards and Consolidated Fee Schedule pertaining to the acquisition and placement of decorative street lights - 1ST Reading.

Max Forbush stated that the two types of light bases being currently installed only last approximately ten years. Custom Lighting Services is suggesting a thicker pole, and a screw-in base with a galvanized finish. The \$2,500 deposit includes the pole, base, and conduit, and money not spent is refunded. Staff is recommending increasing the deposit to \$3,000, and changing the street standards to provide for an anti-glare luminaire shield, the galvanized base and the thicker walled pole. **Mr. Forbush** said if the Council conceptually agrees to the changes, a Resolution will be drawn up by attorneys.

(Agenda Item #11): Cooperative agreement with UDOT pertaining to perimeter trail in the Farmington Preserve neighborhood near Burke Lane.

Mayor Harbertson stated that this matter is related to Agenda item #12. On the packet map he pointed out the areas where they are allowing the City to finish the trail in Segment 1. Segment 2 does not yet have approvals. This agreement states that if the City agrees, and UDOT needs to expand the right-of-way in the future, it can remove improvements without compensation to the City. **Mr. Forbush** said approval of this agreement is needed so that the Burke Lane agreement can be approved, which expires the end of October.

The work session ended at 7:00 p.m.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor Scott C. Harbertson, Council Members Richard Dutson, David Hale, Paula Alder, Sid Young, Cory Ritz, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, and Recording Secretary Kami Mahan.

Mayor Harbertson called the meeting to order at 7:10 p.m. **Max Forbush** offered the invocation, and the Pledge of Allegiance was led by **Mayor Harbertson**.

APPROVAL OF MINUTES OF PREVIOUS MEETING (Agenda Item #2)

The minutes of the regular City Council meeting held July 7, 2009, were reviewed during the work session. Minutes of the June 23, 2009, Special City Council meeting were reviewed previously.

Motions

Rick Dutson moved to approve the minutes of the July 7, 2009, Special City Council meeting. **Paula Alder** seconded the motion, which passed with Council Members **Dutson**, **Young**, and **Alder** voting in favor. **David Hale** and **Cory Ritz** abstained since they were not present at that meeting.

A motion was made by **Sid Young**, and seconded by **David Hale**, to approve the minutes of the June 23, 2009, City Council meeting, with changes as noted. The motion passed unanimously, with Council Members **Young**, **Hale**, and **Dutson** voting in favor. **Cory Ritz** and **Paula Alder** abstained due to their absence at that meeting.

PLANNING COMMISSION REPORT (Agenda Item #3)

Commissioner **Jim Young** reported on the proceedings of the Planning Commission meeting held July 16, 2009. He reviewed the following items:

- Garbett Homes' request for Final Plat approval for Farmington Crossing South Phase 2 was recommended for approval.
- The Planning Commission recommended approval of Rick Wyss's request for an amendment to the Oakridge Farms Subdivision, as well as Final Plat approval for a three lot subdivision for property at 1442 North 1670 West.
- The Planning Commission tabled a request by Farmington City for a conditional use permit for an amendment to the Farmington Ranches Park Master Plan, pending further staff review.
- Farmington Ranches' HOA request for a conditional use permit for a landscape plan for common open space parcels A, B, and C in Phase 3 was approved, with the exception of barrier materials.
- The Planning Commission will proceed as hastily as possible evaluating proposed amendments for City sign ordinances. An extended work session will be held at the next Commission meeting.

Mayor Harbertson expressed appreciation for the time the Planning Commission spends in reviewing issues.

DISCUSSION/REVIEW OF ACCEPTABLE BARRIERS SEPARATING NATURAL VEGETATION AND MANICURED GRASSES WITHIN FARMINGTON RANCHES SUBDIVISION CONSERVATION EASEMENT AREAS. (Agenda Item #4)

Mayor Harbertson introduced this Agenda Item, which was reviewed during the work session.

Anita Todd, 207 Ironside Way, representing the HOA Committee, said she is the government relations officer of the neighborhood. She described the Farmington Ranches neighborhood and invited the Council to visit. She is grateful for the City insisting on the open space requirements. She said the burden of landscaping and maintenance has landed on the homeowners. She asks the City Council to "give an inch". She showed pages representing the length of the conservation easement document. She read a portion of the document which deals with the purpose, and various requirements and responsibilities of the open space easement. She said the HOA begs for mercy for the following reasons:

1. The HOA cannot afford a 6" x 6" cement barrier.
2. They do not like the look of this size barrier.
3. They are not developers, they are neighbors.
4. They don't feel appreciated by the City.

5. They have a desire to unify the community, and have volunteered time and money to the cause.
6. They pay HOA fees and City taxes.
7. They feel overwhelmed by regulation.
8. They are already legally bound to keep grass from encroaching on open space, so they question why the concern about this particular barrier.

Ms. Todd asks that the City Council allow the HOA:

1. To have its preferred barrier (a one-inch by six-inch deep ecological composite edging), or
2. To allow the barrier to qualify as a similar barrier that will provide equivalent separation for all projects in the conservation easement, or
3. To grant the HOA a temporary use permit for its preferred barrier to allow it to move forward in landscaping the parcels until it can install an approved barrier.

Max Forbush displayed a sample of the Trex Bendaboard barrier material suggested by the HOA. **Mayor Harbertson** said a 6" by 6" concrete barrier was recommended by an expert, but even in spite of that, vegetation still encroaches. He suggested that a few options be approved, one of which can be chosen by the HOA. He said concrete or railroad ties are the City's preferred options with the Trex Bendaboard being an approved option.

Sid Young emphasized that the City does appreciate the people in the Ranches neighborhood, and noted the many hours of time City officials have spent working with the HOA. **Mayor Harbertson** said the conservation easement document was drawn up prior to time of the current City Council, and that the sitting Council has tried diligently to amend the document to make it more workable. The Council has also worked to have a park built in the area. **David Hale** noted that he thought all park fees went into the Farmington Ranches park last year.

Max Forbush said the conservation easements were set up specifically to preserve open space. He said this has long range implications and cannot be easily changed. Staff's and the governing body's job is to ensure that ordinances are complied with. They do not have the flexibility as staff to change rules, although they accommodate when they can.

Motion

Rick Dutson moved to approve the following options as acceptable barriers separating natural vegetation and manicured grasses within Farmington Ranches Subdivision Conservation Easement areas: (1) a 6-inch by 6-inch concrete barrier, (2) railroad ties, or (3) 6-inch deep and 1- inch wide Trex Bendaboard, with the model number to be provided. **David Hale** seconded the motion, which passed unanimously with Council Members **Alder, Dutson, Hale, Ritz, and Young** voting in favor.

REQUEST FOR FINAL PLAT APPROVAL - FARMINGTON CROSSING SOUTH SUBDIVISION. (Agenda Item #5)

Mayor Harbertson said that the proposal has been changed from attached units to single-family dwellings, and he did not think this request required a major amendment. **Glenn Symes** pointed out the property on the overhead maps and briefly reviewed the proposal. **Mayor Harbertson** asked developer **Noel Balsteadt**, who was present, about open space maintenance, and **Mr. Balsteadt** said this would be the HOA's responsibility. He said fencing is also in the plan. Council Members expressed their approval of the change.

Noel Balsteadt, 8501 South Thomas Drive, Sandy, Utah, and **Rich Welch**, 10431 North Canterbury Drive, Highland, addressed the Council. **Mr. Balsteadt** explained that due to marketplace changes, the market for single family homes is stronger, and they are easier to finance. He clarified that the homes are approximately 1500 to 1600 square feet with two-car garages. He said if this proposal works, they may have these types of homes more in the north phase of the development.

Motion

David Hale made a motion to approve the Final Plat of the Farmington Crossing South Subdivision, subject to the following conditions and Findings:

Conditions

1. Improvement drawings, including a grading and drainage plan and a SWPPP, prepared by the applicant, must be reviewed and approved by the City Engineer, Public Works Department, Fire Department, Planning Department, Benchland Water District, and Central Davis Sewer District.
2. The applicant must comply with conditions set forth in the development agreement between the developer and the City established for the project and any amendments related thereto.
3. The applicant must convey an easement acceptable to the City on site (or off site near the boundary of the PUD) as per the Master Development Agreement for the perimeter trail. Said easement may be used in the future by the City in the event UDOT does not provide a trail near US 89 and within the Burke Lane right-of-way or in the event UDOT does provide a trail at this location but it is removed for whatever reason.

Findings

1. The Final Plat is in substantial compliance with the PUD Master Plan and that changes proposed are minor changes that do not require an amendment to the Master Plan.
2. The Final Plat meets all requirements for approval as set forth in Chapter 6 of Title 12 (Subdivisions).

3. The applicant is consistent with the Master Development Agreement and other agreements related hereto.

Cory Ritz seconded the motion, which was unanimously approved by Council Members **Hale, Young, Ritz, Dutson, and Alder**.

REVIEW/DISCUSSION HAMPTON INN REQUEST TO MODIFY PROPOSAL FOR INCENTIVISING NEW HOTEL. (Agenda Item #6)

Mayor Harbertson said the City wants the County's help with incentives for the project. It was thought a deal was worked out, but the applicant had a problem with the personal guarantee. He returned with an option, which required the County's cooperation. The **Mayor** invited **Kent Sulser** of the County to address the Council.

Mr. Sulser said there have been conversations with County commissioners relative to the assistance needed by the City. He said a hotel at this site would be beneficial for numerous reasons. Hotels have a difficult time financing even in good financial markets, and incentives are not an abnormality. **Mr. Sulser** said he cannot speak for the County as to how this will work, but that there is a political will to assist. They have had multiple conversations with Mr. Ahir's attorney, the Commissioners, and with the City, and the County is favorable.

Appreciation was expressed to **Mr. Sulser** for the County Commission's help, and the **Mayor** asked **Mr. Sulser** to relay the City's appreciation to the Commissioners. The **Mayor** said the City wants a favorable resolution. **Mr. Sulser** said the Commission participated in a similar situation in South Weber, and that it wants to be involved in partnerships in flagship cities.

The **Mayor** said Mr. Ahir's proposal is that he would take the Transient Room Tax from Farmington for two years, and the City would guarantee an amount of \$40,000. Any TRT deficiency below \$40,000 would be paid by the City out of the General Funds. The County will try to contribute an amount equal to 1% of one annual TRT tax revenue receipts. If the County contributes, the City contribution is just the reimbursement of two years of City's collection of TRT revenues. The **Mayor** asked if the Council were in favor.

Paula Alder expressed concern about the \$20,000, and taking money out of the General Fund. The Council discussed the issue. The **Mayor** pointed out that this project is building the City's tax base. **Sid Young** questioned whether the \$20,000 estimate for the annual TRT tax revenue was a conservative figure. The **Mayor** said it is based on a 50 to 60 percent occupancy rate. **Cory Ritz** said from a development standpoint, it would be good to have the County's help to facilitate progress. **Max Forbush** said the development revenues are needed by the City, some of which are impact or permit fees, and this arrangement is truly a win-win situation. **David Hale** said he is comfortable with the proposal in view of the fact that the County is motivated to help.

Motion

David Hale moved to have the City Manager make a proposal to the Hampton Inn representatives, giving them a guarantee for \$40,000 for a two-year period, with impact fees being paid 50% at the time of obtaining the building permit, and the other 50% prior to the time of occupancy; to partner with the County for a third year contribution of funding; and to have a letter drafted by the City attorneys with the provision that the City's guarantee of the \$40,000 amount goes away should the County participate. **Rick Dutson** seconded the motion, which passed by a unanimous vote. Council Members **Alder, Young, Ritz, Dutson, and Hale** all voted in favor.

The Council moved to Agenda Item #9.

INVITATION TO COMMENT ON PROPOSED PRESCRIBED BURN NEAR DAVIS CANYON ON SOUTHEAST BENCH. (Agenda Item #7)

Mayor Harbertson reported that the Farmington citizens' committee meeting would be held tomorrow night and would discuss this issue. The Council will postpone giving comments to the Forest Service pending the results of that meeting. At that time a letter will be formalized and sent to the Forest Service.

Motion

A motion was made by **Cory Ritz** to table this item until after the committee meeting has been held. **David Hale** seconded the motion, which was approved unanimously by Council Members **Alder, Dutson, Ritz, Hale, and Young**.

MINUTE MOTION APPROVING SUMMARY ACTION LIST (Agenda Item #8)

- **Ratify Construction Bond Agreements previously signed by Mayor Harbertson**
- **Approval of Cooperative Agreement with UDOT approving property match for engineering costs associated with "Road to Commuter Rail Station"**
- **Approval of Rocky Mountain Power Agreement for power services to Farmington Ranches Neighborhood Park**
- **Authorization to extend terms of newly appointed Trails Committee members from June 2009 through December 2012**
- **Appointment of Jim Young to Davis County Transportation Master Planning Committee**
- **Ratify Mayor and City Manager decision to move forward with Phase 1 & 2 of design services for south Main Street project**

Mayor Harbertson briefly reviewed each of the Summary Action items. **Sid Young** introduced Stacy Neilsen of the Trails Committee.

Motion

Paula Alder moved to approve the Summary Action list. **Rick Dutson** seconded the motion, which passed by a unanimous vote. Council Members **Alder, Dutson, Hale, Ritz,** and **Young** voted in favor.

The Council moved to Agenda Item #10.

RESOLUTION APPROVING THE FORM OF THE LEASE/PURCHASE AGREEMENT WITH ZION'S FIRST NATIONAL BANK, SALT LAKE CITY, UTAH, AND AUTHORIZING THE EXECUTION AND DELIVERY THEROF PERTAINING TO THE ACQUISITION OF UDOT SURPLUS PROPERTY LOCATED AT 42 NORTH 650 WEST IN FARMINGTON. (Agenda Item #9)

Mayor Harbertson introduced this matter.

Jonathan Ward from Zion's Bank, 1 South Main, Salt Lake City, said this lease/purchase agreement is different from others which have been used by the City. He said it is made for real property, and he believes it is the only type of property lease of this type available in the State. **Mr. Ward** briefly reviewed some background of the transaction, and said they are comfortable as a lender in making this loan. It is pre-payable at any time without penalty, and will close on July 27, 2009. The **Mayor** expressed appreciation for **Mr. Ward's** time and effort.

Motion

Sid Young moved to approve the Resolution for the lease/purchase agreement with Zion's Bank. The motion was seconded by **Paula Alder** and approved unanimously. Council Members **Dutson, Ritz, Young, Hale,** and **Alder** voted in favor.

The Council then returned to Agenda Item #7.

CONCEPTUAL APPROVAL OF AMENDING THE DEVELOPMENT STANDARDS AND CONSOLIDATED FEE SCHEDULE PERTAINING TO THE ACQUISITION AND PLACEMENT OF DECORATIVE STREET LIGHTS - 1ST READING. (Agenda Item #10)

Mayor Harbertson stated that this issue had been reviewed during the work session. He said the City was informed by Custom Lighting Services, which is contracted by the City, that the current light bases are inferior to what they should be. CLS has recommended upgrading to a galvanized base with a thicker pole. The deposit amount needs to be increased from \$2,500 to \$3,000 per light, and improved street standards need to be authorized for the light improvements. A thicker anti-glare shield

is also needed. The Council gave unanimous conceptual approval and asked that a formal Resolution be refined in this matter.

COOPERATIVE AGREEMENT WITH UDOT PERTAINING TO PERIMETER TRAIL IN THE FARMINGTON PRESERVE NEIGHBORHOOD NEAR BURKE LANE. (Agenda Item #11)

Mayor Harbertson explained that this agreement allows the City to have a trail from the stake center south to the Burke Lane right-of-way. UDOT wants the agreement in order to preclude having to compensate the City if UDOT ever extends the right-of-way for any purpose. **David Hale** asked if access across the freeway for pedestrians and bicyclists would eventually be feasible. **Mayor Harbertson** responded that Cory Pope of UDOT is aware that this is a problem. He said that solving this issue is quite a ways in the future, but he does not believe it is a dead issue. He said emails on the matter have been coming in, and if they continues, a solution may occur. The Council discussed the need for this kind of access.

Clarifying statement:

Council Member Hale's question about access across I-15 for pedestrians and bicyclists was referring to a grade-separated crossing to link the Farmington Preserve neighborhood to the Front Runner Commuter Rail Station. The same can be said of the Mayor's response. The agreement referenced in the minutes was something entirely different in nature.

Motion

Rick Dutson moved to approve the Cooperative agreement with UDOT. **David Hale** seconded the motion, which was unanimously approved by Council Members **Dutson, Alder, Young, Hale,** and **Ritz**, who all voted in favor.

Max Forbush reported that he had a check for \$17,000 from Garbett Homes, which is their share for building a portion of the trail by Burke Lane. He said he will get a "change order" application from the paving contractor from Kilgore Paving.

REVIEW OF PARK IMPACT REVENUES AND ASSOCIATED COMPETING CAPITAL PROJECT EXPENSES. (Agenda Item #12)

Max Forbush said there have been challenges with funding the completion of the trails, and with the timing deadline for the Farmington Preserve perimeter trail. He explained that in 1996 the City entered into a Master Development Agreement with the Farmington Preserve developers which agreement called for the construction of the perimeter trail. As part of that development agreement, two developers and the Prows master developer put money in escrow, which has grown to \$69,000.

Subsequently, the three developers have sold their interest to other developers. The escrowed funds are at Aspen Title, but it is difficult to obtain a release of the funds because there are a number of parties involved. The City is trying to work through this problem. The work must be done by the end of October 2009, or the City forfeits the money. Forty-four thousand dollars worth of the work has been done. Also, Park Impact Fees are being used to construct the Farmington Ranches neighborhood park. **Mr. Forbush** thinks there will be enough Park Impact Fees to finish the park, and to contribute more than the \$505,000 previously discussed. This is conditional on the approval of the governing body.

Mr. Forbush said it is still unknown what the irrigation system will cost for the park. Restroom costs will be established next week, at which point the feasibility of building a tennis court will be known. He believes the budget with the tennis court is \$658,000. The City spent \$19,000 on legal and engineering to have the land conveyed to the City. Hence, the budget would jump to \$677,000. Max suggested a revised park budget. He believes the tennis court can be done because of the extra park impact fees coming in. He asked the Council to consider as a policy decision whether to spend more than \$505,000 in impact fees as was originally set as a limit. It was pointed out that the benefit of building a tennis court is that the City is short on courts, and it will be cheaper to build one now. Council Members informally agreed to try to finish the perimeter trail now, and to tentatively plan on installing a tennis court. Discussion on the tennis court would be deferred to the next meeting.

REVIEW OF FIRE STATION REMODELING PROJECT BIDS/AWARD OF WINNING BID. **(Agenda Item #13)**

Mayor Harbertson introduced this item, and **Max Forbush** distributed copies of the bid breakdown for the Farmington Fire Station remodel. He reviewed the bids and said the overall low bidder was R&O Construction. He said it has been a fair bidding process. **Mr. Forbush** said that before approving the contract, the low bidder will meet with the Fire Department and architect to ensure that everything is covered.

David Hale asked how the bid proposal was calculated. **Max Forbush** responded that they planned on a total cost of \$250,000, which included furnishings and low voltage wiring, both big ticket items. The Fire Chief has also made requests that would total approximately \$250,000. In response to a question by **Mr. Hale**, **Mr. Forbush** briefly reviewed the costs and said he thought the bid was a good one.

Motion

Sid Young moved to authorize staff to award the contract to the low bidder and to develop a contract amount. **David Hale** seconded the motion, which passed by a unanimous vote. Council Members **Young**, **Hale**, **Ritz**, **Dutson**, and **Alder** voted in favor.

GOVERNING BODY REPORTS (Agenda Item #14)

- **Mayor Harbertson's Report**
 - **Recent UTOPIA Visit/Discussion of new Service Model**
 - **Utah League of Cities and Towns Convention**
- **City Council Reports**

Mayor Harbertson reported on a new proposal from UTOPIA, consisting of sending sales forces into quadrants in the city, requesting citizens to sign up for UTOPIA with a guarantee they would not pay more than at present. The discussion also centered around the use of a 20-year Special Assessment Area (SAA) to provide funding. The City would issue SAA bonds to be retired by those signing up for the service, not the City or others. If there is a 30% subscription rate, UTOPIA will build out that area. Those who do not participate have no obligation. The **Mayor** said there is no obligation by the City. **Max Forbush** said UTOPIA wants Farmington to become a non-pledging city, to serve residents who wish to participate. They will return with a firmer proposal in two weeks. **Sid Young** was skeptical of UTOPIA's cost estimate, and said it should be very detailed in its proposal, with legitimate estimates. The Council discussed the proposal, and although some members expressed skepticism, they want to hear more detailed information.

The League of Cities and Towns registration forms were discussed, as well as which budget pays this expense.

The **Mayor** said that details of how to handle opt-ins for recycling needs to be addressed at the next City Council meeting. He explained problems that have been encountered in Centerville. **Max Forbush** reported that so far only 10% have opted out. **Cory Ritz** noted that he learned at a Rocky Mountain Recycling open house that they (Centerville city) were at an approximate 18% opt-out.

Mayor Harbertson reminded Councilman **Hale** about the next Town Hall meeting. **Cory Ritz** will attend the August 5th meeting in **Ms. Alder's** place, and **Sid Young** will cover August 19th and September 2nd.

Paula Alder commented that Festival Days turned out well, and the Council agreed.

Sid Young reported that an official hike to Flag Rock will be held on September 11th to commemorate 9/11. This is being organized by resident Randy West, and Damien Darcy, a 9/11 survivor. **Mr. Young** said the elevation from base level in Farmington to the elevation at Flag Rock is the same elevation as the twin towers. The organizers would like the Fire Department and Trails committee involved next year. This will be advertised in the City newsletter and website. **Mr. Young** said this event should be supported.

Rick Dutson thanked **Max Forbush** for having the weeds taken care of on Summerwood Drive. He also said he would forward copies of a petition from his neighborhood concerning the plantings at

the intersection of Northridge and Mountain roads. **Mr. Dutson** also reported on a tractor for sale at the Brass Comb. This issue was discussed, and **Max Forbush** said he would call the business owner.

Paula Alder reported on construction vehicles blocking traffic on Cherry Blossom Drive, and the City Manager said he would contact the police to help prevent this problem.

Cory Ritz reported on excessive signage in the Clark Lane/1100 West area. **Max Forbush** suggested this be addressed in the newsletter, and he said that because of increasing growth, the hiring of a city code enforcer should be seriously considered when funds permit.

David Hale expressed concern over potential problems with the recycling opt-outs.

MISCELLANEOUS Agenda Item #15)

- **Miscellaneous items**
 - **Park Lane Restriping**
- **Minute motion adjourning to closed session to discuss strategy as it relates to pending litigation.**

Max Forbush reported that there will be a water rate meeting with Lagoon on July 29th at 9:00 a.m., and he asked that an additional Council Member attend. **Cory Ritz** said he would attend if possible, and **Sid Young** volunteered to attend if **Mr. Ritz** couldn't.

Mr. Forbush explained that an issue has arisen with the "Road to the North". Conoco has a pipeline running under Park Lane, which it wants to re-route. He said this has an impact on Rich Haws, who told **Mr. Forbush** that the City needs to solve the problem. **Mr. Forbush** said City Engineer Paul Hirst has said it has nothing to do with the road. **Mr. Forbush** said this will be a stumbling block, and the Council discussed this issue.

Closed Session

At 9:17 p.m. **David Hale** made a motion to go into a closed session to discuss strategy as it relates to pending litigation. The motion was seconded by **Cory Ritz** and passed with Council Members **Dutson, Young, Hale, Ritz** and **Alder** voting in favor.

SWORN STATEMENT

I, Scott C. Harbertson, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

Scott C. Harbertson, Mayor

At 9:30 p.m. a motion to go out of closed session and to adjourn was made by **David Hale** with a second by **Rick Dutson**. The motion passed with Council Members **Dutson, Young, and Hale, Ritz,** and **Alder** voting in favor. The meeting adjourned at 9:30 p.m.

Margy Lomax, City Recorder
Farmington City